

MEMORANDUM

To: Mark Leary
Executive Director
CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

Date: December 16, 2008

Through: 
Ted Rau, Program Director
Waste Compliance and Mitigation Program

From: 
Mark de Bie, Division Chief
Permitting and Local Enforcement Agency Support Division
Waste Compliance and Mitigation Program

Subject: REQUEST FOR ACTION ON PROPOSED MODIFIED SOLID
WASTE FACILITIES PERMIT FOR CALIFORNIA STREET LANDFILL
(36-AA-0017), SAN BERNARDINO COUNTY

This memo requests that the Executive Director take action on a proposed Modified Solid Waste Facilities Permit for the California Street Landfill, SWIS No. 36-AA-0017, located in San Bernardino County. A copy of the proposed permit is attached. This memo provides you with staff's findings and recommendations relative to the proposed action, pursuant to authority granted to the Executive Director by California Code of Regulations (CCR), Title 27, Sections 21663(a) and 21685 (c). In addition, the Board has delegated to the Executive Director the authority to concur in or object to modified solid waste facilities permits. Board Policy No. BL-6, adopted by Resolution 2007-31, February 13, 2007.

The proposed modified permit was received on October 21, 2008. Action must be taken on this permit no later than December 20, 2008. If no action is taken by December 20, 2008, the Executive Director will be deemed to have concurred in the issuance of the proposed modified permit.

Based on our review of the submitted permit package, staff recommends that the Executive Director concur in the issuance of the modified permit and sign below, as all of the required submittals and findings required by Title 27, Section 21685 have been made and the required CEQA findings have been made in support of concurrence. These findings are summarized in the following table. The documents or analysis on which staff's findings are based are in the facility file for the facility. The proposed changes and more details on findings are presented in more detail below.

Proposed Changes

The following changes to the permit are being proposed:

Current	Proposed
Estimated closure date 2031	Estimated closure date 2042
SWFP Finding 13.e. states that, "The Environmental Impact Report (EIR) was filed with the State Clearinghouse (SCH# 2001011063) and certified by the Redlands City Council on October 1, 2001. The Environmental Impact Report (EIR) describes and supports the design and operation which will be authorized by the issuance of this permit."	SWFP Finding 13.e. states that, "The Environmental Impact Report (EIR) dated May 22, 2002 was filed with the State Clearinghouse (SCH# 2001011063) and certified by the Redlands City Council. The Environmental Impact Report (EIR) describes and supports the design and operation which will be authorized by the issuance of this permit. An addendum to the May 2002 EIR, dated July 21, 2008 was prepared by Vector Engineering, Inc."
Section 15 of the SWFP identifies the Joint Technical Document dated 10/2002, Preliminary Closure and Postclosure Maintenance Plans dated 10/2002, SCAQMD Rule 1150.1 Monitoring and Compliance Plan dated 4/1998, City of Redlands Consistency Finding dated 5/1997, Waste Discharge Report Order No. 98-99 dated 11/20/1998, Mitigation Monitoring Report Program dated 8/2002, Land Use and/or Conditional Use Permit dated 11/1992, Environmental Impact Report (EIR) (SCH# 2001011063) dated 5/2002 as documents that describe and restrict the operations of the facility.	Section 15 of the SWFP identifies Joint Technical Document dated 4/2008, Preliminary Closure and Postclosure Maintenance Plans dated 4/2008, Waste Discharge Report Order No. 98-99 dated 11/20/1998, Mitigation Monitoring Report Program dated 8/2002, LandUse and/or Conditional Use Permit dated 11/1992, Environmental Impact Report (EIR) (SCH# 2001011063) dated 5/2002, Addendum to EIR dated 7/2008, Initial Study for Filter Cake Disposal at CSL dated 7/2007 as documents that describe and restrict the operations of the facility.
	SWFP Self-Monitoring 16.h. states that "A record of beneficial reuse of solid waste (to include types and quantities in accordance with 27 CCR 20686 to be submitted quarterly to the LEA."

Other changes being proposed as an aspect of this permit action which are found in the amended RFI include the following:

The JTD dated April 2008 was submitted along with the application for this SWFP modification. This document contains clean up language, new estimated closure date, and references to the new landfill gas regulations. There was also text that addressed the optional secondary low permeability liner for the double composite liner system, the use of filter cake as an alternate cover material, and the disposal of incidental treated wood waste.

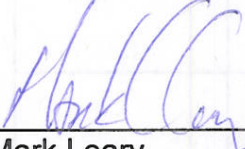
Executive Director Findings

CCR Title 27 Sections	Findings	Acceptable	Unacceptable
21685(b)(1) LEA certified Report of Facility Information	The LEA provided the required certification.	<input checked="" type="checkbox"/>	
21685(b)(2) LEA Five Year Permit Review	The LEA provided the required documentation. [A permit review report had been completed on June 23, 2008.]	<input checked="" type="checkbox"/>	
21685(b)(3) Solid Waste Facility Permit	The LEA provided all the required documentation.	<input checked="" type="checkbox"/>	
21685 (b)(4)(A) or (B) Consistency with PRC 50000.5 or LEA finding relative to PRC 50001	Board staff in the Jurisdictional Compliance and Audit Section have found the facility consistent with the Sitting Nondisposal Facility Element of the California Integrated Waste Management Plan.	<input checked="" type="checkbox"/>	
21685(b)(5) Preliminary or Final Closure/ Postclosure Maintenance Plans consistency with State Minimum Standards	Board staff in the Waste Compliance and Mitigation Program have found the Preliminary or Final Closure/ Postclosure Maintenance Plans consistent with State Minimum Standards.	<input checked="" type="checkbox"/>	
21685(b)(6)(A) Financial Assurances Documentation compliance	Board staff in the Waste Compliance and Mitigation Program have found that there is Financial Assurances Documentation and compliance through December 1, 2008.	<input checked="" type="checkbox"/>	
21685(b)(7) Operations consistent with State Minimum Standards	Board staff in the Waste Compliance and Mitigation Program found that the facility was in compliance with all operating and design requirements during an inspection conducted on October 17, 2008.	<input checked="" type="checkbox"/>	
21685(b)(8) LEA CEQA finding	The LEA provided a finding that the proposed permit is consistent with and supported by the existing CEQA documentation.	<input checked="" type="checkbox"/>	
CEQA determination to support responsible agency's findings	Board staff in the Waste Compliance and Mitigation Program found that the proposed permit is consistent with CEQA and supports the ED concurrence in the modified permit.	<input checked="" type="checkbox"/>	

Executive Director Action:

On the basis of the information in this Request for Action on Modified Solid Waste Facilities Permit and the findings set out above, the Executive Director hereby concurs in the Modified Permit.

Dated: December 18, 2008



Mark Leary,
Executive Director

Attachment: Proposed Modified Permit 19-AA-0857, dated October 21, 2008